



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

April 9, 1985

TO: John Whitehead, Permit Supervisor/Reclamation
Hydrologist

FROM: Steve Cox, ^{sl} Reclamation Biologist

RE: Whiterocks Tar Sands Pit, No File Number, Wasatch Tar
Sands, Inc., Uintah County, Utah

On April 1, 1985, Steve Cox, Tom Munson and Ev Hooper visited the Whiterocks Tar Sands Pit located in Township 3 North, Range 1 East, Section 19 (NW1/4). It can be reached by traveling north from the town of Whiterocks 6.5 miles, turn right on the Whiterocks Canyon Road for .8 miles, then take the dirt road left for two miles.

The purpose of the visit was to document the current status of the operation. The Division had received information which suggested that the operator was upgrading the site for sale of the sands to Staker Paving. Tom Tetting of the Division had visited the site on July 19, 1984 and had taken photographs of the upper pad, lower pad and existing facilities. He noted that it appeared that over two acres had been disturbed at that time.

From our visit, it appeared that there had been little change in the amount of disturbance. However, additional structures had been brought on site. These include four large tanks which had been dropped just south of the mine site, a guard trailer, a tar sands processing machine mounted on a semi-trailer, and a pressure guage and pipe which may be connected to an underground tank or pipeline. Most of the disturbance observed appears to be redisturbance of an old mine site.

Mr. John Fairbanks, the operator of the site, was contacted on April 3, 1985 regarding the site. He stated that they had not disturbed two acres of ground and he could prove it. He also said that the Division has no jurisdiction over the site because it is on private land, and if we keep "harassing" him he will file a suit against the Division.

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Memorandum - John Whitehead
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The Division sent Mr. Fairbanks a letter on August 2, 1984, requesting that information be submitted concerning the mining activities so that a determination could be made regarding compliance with the Mined Land Reclamation Act. No response was ever received.

At this point, the Division must decide if redisturbance of an existing mine site is considered "disturbance" under Rule M-3 for determination of the two acre exemption. Based on this decision, the following options are suggested:

1. If redisturbance is not considered "disturbance," then the operation is most likely covered under the two acre exemption. In that case, Mr. Fairbanks must file a MR-4 form with the Division.
2. If redisturbance is considered "disturbance," then the operation is over the two acres and a Notice of Intention to Mine (MR-1 Form) must be submitted. Mr. Fairbanks should be informed that the information must be submitted and the permit approved before further mining is to take place.

btb
cc: Lowell Braxton
Wayne Hedberg
8878R-12 & 13